DIA-Foia

Mr. Louis M. Foster, FOIA Officer
DIA
Wash., D.C. 20301

Rt. 12, Frederick, Md. 21701
7/20/77
U-4,169/RDS-3A

Dear Mr. Foster

I read and I reread your letter stamp dated July 18 and I am persuaded that you mean every word you say. In the rereading I ask myself what does this really mean? And persuaded of your sincerity and the probable belief that you have been patient with me in order to inform me, I ask myself if what this really means has ever occurred to you. Or to many others like you with whom I have had a long, entirely unsatisfatory, costly and deeply disturbing correspondence over a period of many years.

First let me explain that I believe FOIA bespeaks a basic philosophy that could not be more in accord with the concept on which our nation was founded. I believe it is essential to any kind of functioning and free representative society.

To this I add that I doubt any individual has had more FOIA experience than I, in and out of court. Initial and continuing non-compliance is total short of court and in no case full and thereafter voluntary afterwy successes in court. The record of the government with me is a record of indulging the power to ignore both the law and what the law represents to me and I am confident was intended to mean by the Congress. False swearing is commonplace and immune. In many cases I believe there is perjury. I have simple requests that are without response going back to 1968. I must have more than 50 requests long overdue by any claim to any backlog. I have copies of government records reflecting that high law-enforcement officials gave orders for my requests not to be complied with. I have records of decisions on lower levels not to inform those on higher levels to provide for non-compliance. I have records of the existence of records that higher officials are told do not exist. I have a large quantity of copies of records relating to me that after more than six years of effort I have not been able to obtain under FOIA/PA. It is with these prior experiences that I write you.

It also is with the hope that after reading this you will reread your letter and ask yourself if you have not really told me that the President of the United States can be assassinated and the entire defense establishment, whose commander-in-chief he was, claims not to have any relevant records and to find nothing at all unusual in this.

In my view the sole purpose of the entire defense establishment is to defend the nation. In my view there is no greater danger to the nation, no more subversive a crime, than the assassination of a president, any president. This crime attacks our system of society at its foundation. It nullifies the entire concept and structure of our nation.

And none of the many components of the military and intelligence agencies with which I have corresponded under FOIA has any records. Not one has provided any record of the destruction of any record, horrifying as the though alone it. To think that such historic records could ever be destroyed or that there could be any justification for it.

The record in my dismaying efforts to obtain copies of records relating to me is identical. Even my own military records no longer exist. I can understand that the fire at the storage depot can in part account for this. Where I have obtained a few duplicates they are incomplete. In some cases agencies deny having any records until one is referred back. After this then deny having any other records even though the one retrieved from the memory hole makes this impossible. I tell agencies where to look and I cannot persuade them either to look in those quarters or to tell me that they have or that they will not.

Is there never to be an end to this? Can no agency say other then this is not our duty or responsibility? Can anyone possibly keep up for the organizations and the reorganizations and the shifting of files and responsibilities? Can you possibly believe that your letter is a meaningful response? Can neither you nor anyone else in the entire military/intelligence establishment think of any single source of any significant records relating to the assassination of a President?

Reverse our roles and tell me you would be satisfied.

You refer to NIS. NIS has one of the better records with me. They have provided me with some Oswald discharge records and some relating to one of his two courts martial. Nothing really relating to his first discharge. Nothing relating to the defense needs and actions once he showed up in Moscow. A few records relating to the death of a sentry but no record showing how this was in any way connected with Oswald. Let me give you a few more examples.

Th ere is no real question but that Oswald's last duty assignment required at least a secret and a crypto security clearance. I have information that in fact it was top secret. It comes from an uninterviewed former Marine colleague.

Oswald took advanced training at Keesler Field. No record.

He went to Russia. From the responses this did not cause any real investigation of his past and associates. He was accused of killing the President and that also caused no real investigation by the military of his military past. There were allegations linking him with one David Ferrie, who also was at Keesler Field, and there are no records and no record of any quest for any.

The President is killed. Did the military or intelligence agencies then take any actions, any precautions? No records. If I am quite sympathetic to the problems such a crime and of such unexpectedness can cause those with national obligations I simply cannot believe that all the military and intelligence agencies came entirely unglued and not one took any single step of which there is any record. Do I have to tell you of all the many worries and contingencies thrust upon those in authority? In my place could you possibly believe the totality of denial of the existence or any records?

You are a conglomerate of buckpassers in the least unkind representation I can make.

Sincerely,

Harold Weisberg